

Honorable Thomas S. Zilly

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

LEA BLACK,

Plaintiff,

v.

PRIDE MOBILITY PRODUCTS
CORPORATION, a foreign corporation; and
UNITED SEATING AND MOBILITY,
L.L.C., a foreign corporation, d/b/a
NUMOTION, a foreign corporation;
CAPSTONE MOBILITY GROUP, LLC, a
foreign corporation; MERITS HEALTH
PRODUCTS CO., LTD; MERITS HEALTH
PRODUCTS, INC.; JOHN DOE COMPANY
1; JOHN DOE COMPANY 2,
Defendants.

No. 2:15-cv-02008-TSZ

ORDER ON STIPULATED
MOTION FOR ISSUANCE OF
AMENDED LETTERS
ROGATORY AND SUMMONS

THIS MATTER having come on regularly before this Court for hearing upon the
parties Stipulated Motion for Issuance of Amended Letters Rogatory and Summons, and the
Court having reviewed the motion and the records and files herein, now, therefore,

ORDER ON STIPULATED
MOTION FOR ISSUANCE OF AMENDED
LETTERS ROGATORY AND SUMMONS - 1
No. 2:15-cv-02008-TSZ

SCHROETER, GOLDMARK & BENDER
500 Central Building • 810 Third Avenue • Seattle, WA 98104
Phone (206) 622-8000 • Fax (206) 682-2305

1 IT IS ORDERED, ADJUDGED AND DECREED that the Stipulated Motion for
2 Issuance of Amended Letters Rogatory and Summons is GRANTED.

3 THEREFORE, IT IS ORDERED that the Court shall issue Amended Letters
4 Rogatory in the form attached as Exhibit A, and the Clerk will issue an Amended Summons
5 in the form attached as Exhibit B.
6

7
8 
9

10 Thomas S. Zilly
11 United States District Court
12 Western District of Washington
13 700 Stewart Street
Seattle, WA 98101
(206) 370-8830

14 Presented by:

15 SCHROETER, GOLDMARK & BENDER

16 By: s/Peter O'Neil

17 PETER O'NEIL, WSBA #28198

18 By: s/Sims Weymuller

19 SIMS WEYMULLER, WSBA #33026

20 By: s/Lucas Garrett

21 LUCAS GARRETT, WSBA #38452

22 Counsel for Plaintiff

23 SCHROETER, GOLDMARK & BENDER

24 810 Third Avenue, Suite 500

25 Seattle, WA 98104

Phone: (206) 622-8000

Fax: (206) 682-2305

E-mail:

peter@peteroneil.org

sims@sgb-law.com

garrett@sgb-law.com

26 ORDER ON STIPULATED
MOTION FOR ISSUANCE OF AMENDED
LETTERS ROGATORY AND SUMMONS - 2
No. 2:15-cv-02008-TSZ

SCHROETER, GOLDMARK & BENDER
500 Central Building • 810 Third Avenue • Seattle, WA 98104
Phone (206) 622-8000 • Fax (206) 682-2305

1 BENNETT BIGELOW & LEEDOM

2 By: s/William J. Leedom

3 WILLIAM J. LEEDOM, WSBA #2321

4 By: David M. Norman

5 DAVID M. NORMAN, WSBA #40564

6 Counsel for Defendant Pride

7 601 Union Street, Ste. 1500

8 Seattle, WA 98101

9 Telephone: (206) 622-5511

10 Fax: (206) 622-8986

11 wleedom@bblaw.com

12 dnorman@bblaw.com

13 KELLER ROHRBACK, LLP

14 By: David J. Russell

15 DAVID J. RUSSELL, WSBA #17289

16 Counsel for Defendant Numotion & Capstone

17 1201 3rd Ave., Suite 3200

18 Seattle, WA 98101

19 Phone: 206-623-1900

20 Fax: 206-623-3384

21 drussell@kellerrohrback.com

22 By: s/Sylvia J. Hall

23 SYLVIA J. HALL, WSBA #38963

24 MERRICK HOFSTEDT & LINDSEY, PS

25 3101 Western Ave., Suite 200

26 Seattle, WA 98121

shall@mhlseattle.com

By: s/Richard Schuster

RICHARD SCHUSTER, Bar #1055486, *Admitted Pro Hac Vice*

MATTHIESEN, WICKERT & LEHRER, S.C.

1111 E. Sumner Street

P.O. Box 270670

Hartford, WI 53027

rschuster@mwl-law.com

ORDER ON STIPULATED
MOTION FOR ISSUANCE OF AMENDED
LETTERS ROGATORY AND SUMMONS - 3
No. 2:15-cv-02008-TSZ

SCHROETER, GOLDMARK & BENDER
500 Central Building • 810 Third Avenue • Seattle, WA 98104
Phone (206) 622-8000 • Fax (206) 682-2305

EXHIBIT A

Honorable Thomas S. Zilly

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

LEA BLACK,

Plaintiff,

v.

PRIDE MOBILITY PRODUCTS
CORPORATION, a foreign corporation;
and UNITED SEATING AND MOBILITY,
L.L.C., a foreign corporation, d/b/a
NUMOTION, a foreign corporation;
CAPSTONE MOBILITY GROUP, LLC, a
foreign corporation; MERITS HEALTH
PRODUCTS CO., LTD; MERITS
HEALTH PRODUCTS, INC.; JOHN DOE
COMPANY 1; JOHN DOE COMPANY 2;
JOHN DOE COMPANY 3,

Defendants.

No. 2:15-cv-02008-TSZ

AMENDED LETTERS ROGATORY

TO THE APPROPRIATE JUDICIAL AUTHORITY OF TAIWAN, for International
Judicial Assistance:

A request for international judicial assistance is being made in the interests of justice
for plaintiff, Lea Black.

The United States District Court, District of Western Washington, presents its
compliments to the appropriate Judicial Authority of Taiwan, and requests international

1 judicial assistance in order to obtain service of process, to be used in a civil proceeding that is
2 before this Court in the above captioned matter.

3
4 Plaintiff Lea Black was severely injured in Seattle, Washington after her Pride Pursuit
5 mobility scooter entered a “freewheel” condition on a hill. The scooter failure may have
6 been caused, among other things, by a failure of a coupler part between the scooter’s pinion
7 gear and the motor/brake assembly. The coupler part may have been manufactured and sold
8 by the Merits Health Products, family of companies.

9
10 Plaintiff Lea Black seeks damages for her injuries, including but not limited to broken
11 bones, loss of appendages, trauma, loss of her living situation, loss of mobility and other
12 injuries resulting in past and future pain and suffering, both physical and mental and other
13 general damages, together with past and future medical and related expenses, punitive
14 damages if available, and other special damages to be proved at the time of trial.

15 Liability in this case is premised on manufacturer liability under RCW 7.72.030(1)(a),
16 (2), (3); RCW 7.72.030(1)(b), (c); and RCW 7.72.030(3).

17 This Court respectfully requests the assistance described herein as necessary in the
18 interests of justice for Lea Black. The assistance requested is that The Appropriate Judicial
19 Authority of Taiwan effect service of process upon the below named:

20
21 Merits Health Products Co., Ltd.
22 No. 18 Jingke Rd., T.P.M.T. Park,
23 Nantun District, Taichung City,
24 Taichung 40852, Taiwan

25 by leaving one copy of the attached documents, Summons and Complaint, with Chinese
26 translations thereof, with a director, officer, or other entity authorized to accept service of

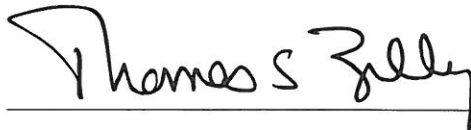
1 civil process in the manner prescribed for service of similar documents under the laws of
2 Taiwan.

3 This Court further requests that, after service has been made, the person who serves
4 the documents upon Merits Health Products Co., Ltd., execute a Certificate of Service and
5 return it, together with a copy of the documents served, to this Court at the address below.
6

7 The United States District Court, Western District of Washington, expresses its
8 willingness to provide similar assistance to Judicial Authorities of Taiwan.

9 Plaintiff's counsel, Schroeter, Goldmark & Bender, 500 Central Building, 810 Third
10 Avenue, Seattle, Washington 98104, as the requesting party, is willing to reimburse the
11 Judicial Authorities of Taiwan for costs incurred in executing this request for judicial
12 assistance.
13

14 DATED this 26th day of May, 2017.

15
16 
17

18 Thomas S. Zilly
19 United States District Judge
20 United States District Court
21 Western District of Washington
22 700 Stewart Street
23 Seattle, WA 98101
24 (206) 370-8830
25
26

(SEAL OF COURT)

1 Presented by:

2 SCHROETER, GOLDMARK & BENDER

3 By: s/Peter O'Neil

4 PETER O'NEIL, WSBA #28198

By: s/Sims Weymuller

5 SIMS WEYMULLER, WSBA #33026

By: s/Lucas Garrett

6 LUCAS GARRETT, WSBA #38452

Counsel for Plaintiff

7 SCHROETER, GOLDMARK & BENDER

8 810 Third Avenue, Suite 500

Seattle, WA 98104

9 Phone: (206) 622-8000

Fax: (206) 682-2305

10 E-mail:

11 peter@peteroneil.org

sims@sgb-law.com

12 garrett@sgb-law.com

13 BENNETT BIGELOW & LEEDOM

14 By: s/William J. Leedom

15 WILLIAM J. LEEDOM, WSBA #2321

By: David M. Norman

16 DAVID M. NORMAN, WSBA #40564

Counsel for Defendant Pride

17 601 Union Street, Ste. 1500

Seattle, WA 98101

18 Telephone: (206) 622-5511

19 Fax: (206) 622-8986

wleedom@bblaw.com

20 dnorman@bblaw.com

21 KELLER ROHRBACK, LLP

22 By: David J. Russell

23 DAVID J. RUSSELL, WSBA #17289

Counsel for Defendant Numotion & Capstone

24 1201 3rd Ave., Suite 3200

Seattle, WA 98101

25 Phone: 206-623-1900

Fax: 206-623-3384

26 drussell@kellerrohrback.com

1 By: s/Sylvia J. Hall

SYLVIA J. HALL, WSBA #38963

2 MERRICK HOFSTEDT & LINDSEY, PS

3 3101 Western Ave., Suite 200

Seattle, WA 98121

4 shall@mhlseattle.com

5 By: s/Richard Schuster

RICHARD SCHUSTER, Bar #1055486, *Admitted Pro Hac Vice*

6 MATTHIESEN, WICKERT & LEHRER, S.C.

1111 E. Sumner Street

7 P.O. Box 270670

8 Hartford, WI 53027

rschuster@mwl-law.com

EXHIBIT B

Signature of Clerk or Deputy Clerk

Civil Action No. 2:15-cv-02008-TSZ

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc: